

### Remarks

Claims 1-18, 21-23, 59-78, 80-81 and 99-102 are pending in the application. Claims 1, 3, 6-8, 12-14, 23, 59, 64-66, 70-72, 77 and 80 have been amended. New claims 100-102 have been added. No new matter has been added by virtue of this amendment. Reconsideration of the application as amended is requested.

### Claim Rejections--35 U.S.C. § 112, second paragraph

The Examiner rejects claims 6-8 and 64-66 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has fixed the problems identified by the Examiner. Thus, the rejection under 35 U.S.C. § 112 has been traversed.

### Claim Rejections--35 U.S.C. § 102(b)

The Examiner rejects claims 1-5, 7, 8, 10, 18, 22, 23, 59-63, 65, 66, 68, 76-78, 80, and 99 under 35 U.S.C. § 102(b), as being anticipated by Miyashita et al (4971920). The Examiner states, "Miyashita et al teach a method as claimed. See entire document, especially Figures 1-5 and the related description."

Applicant has amended independent claims 1, 23, and 59 to provide that the side of the substrate having the conductive film faces the transducer. Support for this amendment is on page 1, line 14. Miyashita does not teach or suggest that the side of the semiconductor wafer with the conductive film faces his transducer. Miyashita is seeking to damage the backside of the substrate and Miyashita exclusively teaches facing the backside of the substrate toward the transducer. The backside of the wafer has no conductive film. Were the side having the conductive film oriented toward the transducer Miyashita would not work for its intended purpose of providing backside damage. In addition, the conductive film would be likely damaged or destroyed. Thus, the rejection of claims 1, 23, 59, and claims dependent thereon under 35 U.S.C. § 102(b), as being anticipated by Miyashita et al. have been traversed.

### Claim Rejections--35 U.S.C. § 103(a)

The Examiner rejects claims 12-17 and 70-75 under 35 U.S.C. § 103(a), as being unpatentable over WO 01/08200.

However, applicant would respectfully ask the examiner to consider that WO 01/08200 does not teach or suggest the limits of claim 1 from which claims 12-17 depend

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or of claim 59 from which claims 70-75 depend: (1) "at least two sidewalls having an overflow," (2) "immersing the substrate in said fluid," and (3) "flowing said fluid upwardly in said container from said container inlet, through said first spacing, and over said overflows."

The WO 01/08200 patent has overflow exclusively on one side, as shown in FIG. 1 by numerals 44, 45 and as acknowledged by the Examiner. The overflow appears to be controlled by adjustable edge 44. It would not be obvious in this case to provide duplication of the overflows because further invention would be required to coordinate providing multiple adjustable edges on multiple sides and for providing common adjustment to those multiple adjustable edges so that fluid would flow "over said overflows" (plural) as provided in claim 1(d). None of the references teach or suggest any reason to go to this trouble or expense.

In addition, the WO 01/08200 patent does not teach or suggest "immersing the substrate in said fluid." Immersing means to cover completely in a liquid, to submerge. The fluid in the WO 01/08200 patent only contacts center portions of the substrate, as shown in FIG. 1 of the WO 01/08200 patent. A ring shaped portion of the substrate extends outside the container and is dry. Thus, the substrate is not immersed in the fluid.

Therefore the rejections of claims 12-17 and 70-75 under 35 U.S.C. § 103(a), as being unpatentable over WO 01/08200 has been traversed.

The Examiner rejects claims 6 and 64 under 35 U.S.C. § 103(a), as being unpatentable over Miyashita in view of Kern (paper in J. Electrochem. Soc. V 137, No. 6, 1990). However, applicant would respectfully ask the Examiner to consider that neither reference teaches or suggests the limits of claim 1 and 64 from which claims 6 and 64 depend, that the side of the substrate with a conductive film faces his transducer. Therefore the rejections of claims 6 and 64 under 35 U.S.C. § 103(a), as being unpatentable over Miyashita in view of Kern has been traversed.

It is believed that the claims are in condition for allowance. Therefore, applicant respectfully requests favorable reconsideration. If there are any questions please call applicant's agent at 802 864-1575.

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